

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Riechers et al.

Examiner: NA

Serial No.: 08/809,699

Group Art Unit No.: 1611

Patent No.: 5,932,730

Filing Date: March 27, 1997

Confirmation No.: 7925

Issue Date: August 3, 1999

For:

Carboxylic Acid Derivatives, Their Preparation and Use

**RESPONSE TO NOTICE OF FINAL DETERMINATION AND REQUIREMENT FOR
ELECTION**

Mail Stop Hatch-Waxman PTE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX – (571)-273-7728

Dear Sir:

In response to the Notice of Final Determination and Requirement for Election mailed in the above patent on February 23, 2010, Applicant herewith elects the above US Patent, namely US Patent No. 5,932,730, to apply the certificate of extension. Concurrently herewith, Applicant will be filing the following documents:

1. A Petition Under 37 CFR §1.181 Requesting Reconsideration of the Determination of the Length of the Patent Term Extension under 37 CFR §1.710 for US Patent No. 5,932,730;
2. A Petition to Stay Proceedings regarding the Patent Term Extension Application for US Patent No. 5,932,730 under 37 CFR §1.182; and
3. Express Withdrawal of Application for Extension of Patent Term for US Patent Nos. 5,840,722, 5,703,017 and 7,109,205, by Abbott GmbH & Co. KG., the owner of the entire right, title and interest in each of these US Patents and the Applicant in the Applications of Patent Term filed for each of these patents on August 7, 2007.

While no fees are believed to be owed in connection with the filing of this paper, authorization is given for the Commissioner to charge any fees incurred in connection with this patent to deposit account number 50-1662.

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Respectfully submitted,

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March 22, 2010

Date:

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